

For:
Introduction and Referral to Planning Commission: 1/6/20
Planning Commission Review: 1/27/20
Re-introduction: 3/2/20
Public Hearing _____
Adoption _____

THE TOWN OF MOUNT AIRY, MARYLAND

ORDINANCE NO. 2020-2

PROPOSED TEXT AMENDMENT

**AN ORDINANCE TO AMEND PART II OF THE CODE OF THE TOWN OF MOUNT
AIRY ENTITLED "GENERAL LEGISLATION",
CHAPTER 112 ENTITLED "ZONING", ARTICLE VI ENTITLED "PROVISIONS
GOVERNING INDUSTRIAL DISTRICTS",
SECTION 112-45 ENTITLED "I INDUSTRIAL DISTRICT"**

WHEREAS, on or about October 24, 2019, Van Mar Associates, Inc., on behalf of the owner and developer of Lot 16A in the Twin Arch Business Park, applied for a proposed zoning text amendment pursuant to the Town Code, Section 112-66B, proposing to allow restaurants/diners in the Industrial (I) District subject to certain limitations, and paid the \$300 application fee set forth in Section 112-66B; and

WHEREAS, the proposed text amendment was put into ordinance form, was assigned Ordinance 2020-2, was introduced at the Town Council meeting that occurred on 1/6/20 and, pursuant to the Town Code, Section 112-67, referred to the Town Planning Commission for review and recommendation; and

WHEREAS, the Planning Commission reviewed this ordinance at its regular meeting on January 27, 2020; and

WHEREAS, at its regular meeting on January 27, 2020, the Planning Commission recommended passage of the ordinance; and

WHEREAS, at its regular meeting on March 2, 2020, the Town Council reintroduced this ordinance as reflected and set a public hearing for April 6, 2020 pursuant to the Town Code, Section 112-66A and the Land Use Article of the Maryland Code, Section 4-203(b), which was held on the aforementioned date; and

WHEREAS, the Town Council finds that the changes recommended in this Text Amendment/Ordinance are desirable and in the best interests of the Town and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN
OF MOUNT AIRY:**

Section 1. That Part II, Chapter 112, Article VI, Section 112-45 of the Code of the Town of Mount Airy is hereby repealed and reenacted with amendments as follows:

§ 112-45. I Industrial District.

* * *

B. Uses permitted in the I District. No building or structure may be erected, and no land may be used or occupied except for one or more of the following principal uses:

* * *

(15) Restaurants or lunchrooms that do not exceed 15% of the lot or parcel, and provided no individual use exceeds 3,000 square feet.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the _____ day of _____, 2020.

Introduced on the 6th day of January, 2020.

Enacted this _____ day of _____, 2020 by a vote of _____ in favor and _____ opposed.

ATTEST:

Jason Poirier, Secretary

Larry Hushour,
President of the Town Council

Approved this _____ day of _____, 2020.

ATTEST:

Jason Poirier, Secretary

Patrick T. Rockinberg, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY
This _____ day of _____, 2020.

Thomas V. McCarron, Town Attorney